

Entered - 06-11-01 - sb
CL 01L0362 - GWENDOLYN BURNS

01- R -1243

CLAIM OF: PAUL JOWANISAS
2653 Brookwood Drive
Atlanta, Georgia 30305

For vehicular damages alleged to have been sustained as a result of a vehicular accident on April 27, 2001 at 2653 Brookwood Drive.

BY PUBLIC SAFETY AND LEGAL ADMINISTRATION
COMMITTEE:

BE IT RESOLVED by the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to **PAUL JOWNISAS** the sum of **\$1,665.15** in full settlement and satisfaction of all claims, past, present and future, of every kind and character for vehicular damages alleged to have been sustained as a result of a vehicular accident on April 27, 2001 at 2653 Brookwood Drive as is more particularly set forth in the within claim; said sum taken from and charged to account 1A01/529017/T31001, Settlement of Suits and Claims, Department of Law.

APPROVED: SUSAN PEASE LANGFORD
CITY ATTORNEY

BY: Rosalind Rubens Newell
ROSALIND RUBENS NEWELL
DEPUTY CITY ATTORNEY

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 01L0362

Date: June 27, 2001

Claimant /Victim PAUL JOWAISAS
BY: (Atty) (Ins. Co.) _____
Address: 2653 Brookwood Drive, Atlanta, Georgia 30305
Subrogation: _____ Claim for Property damage \$ 1,767.04 Bodily Injury \$ _____
Date of Notice: 5/16/01 Method: Written, Proper X Improper _____
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 4/27/01 Place: 2653 Brookwood Drive
Department PUBLIC WORKS Division Solid Waste Services
Employee involved Elizabeth Ford Disciplinary Action: No Action Taken

NATURE OF CLAIM: Claimant alleges that his parked vehicle sustained damage when it was rear ended by a sanitation vehicle.

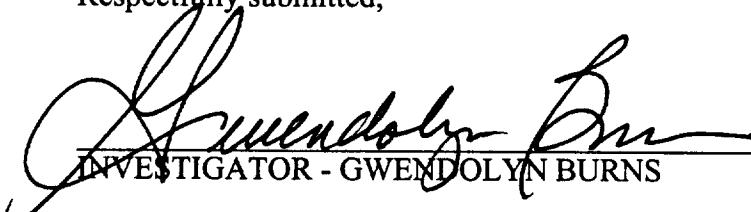
INVESTIGATION:

Statements: City employee _____ Claimant _____ Others _____ Written _____ Oral _____
Pictures _____ Diagrams _____ Reports: Police X Dept Report _____ Other X
Traffic citations issued: City Driver _____ Claimant Driver _____
Citation disposition: City Driver _____ Claimant Driver _____

BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial _____
Improper Notice _____ More than Six Months _____ Other _____ Damages reasonable _____
City not involved _____ Offer rejected _____ Compromise settlement X
Repair/replacement by Ins. Co. _____ Repair/replacement by City Forces _____
Claimant Negligent _____ City Negligent X Joint _____ Claim Abandoned _____

Respectfully submitted,


INVESTIGATOR - GWENDOLYN BURNS

RECOMMENDATION:

Pay \$ 1,665.15 Adverse _____ Account charged: 1A01 X 2J01 _____ 2H01 _____
Claims Manager:  Concur/date 07-17-01
Committee Action _____ Council Action _____

COUNCIL OF THE CITY OF ATLANTA
MUNICIPAL CLERK
City Hall
55 Trinity Avenue, S.W.
Atlanta, Georgia 30335

RECEIVED

MAY 16 2001

MUNICIPAL CLERK

RE: CLAIM FOR DAMAGES

Today's Date: MAY 3, 01

BURNS
06/11/01
du

Dear Municipal Clerk:

ENTERED - 06-011-001
0110862 - GWEN BURNS

This is to notify the City of Atlanta that I have suffered damages in the amount sum of \$ 665.15 property and/or \$ _____ bodily injury for which I contend the City is liable.

1. Date of incident: April 27th, 2001 2. Time of Incident: 8:30 - 9 AM 3. Police called: X
(month/day/ year) Yes No

4. Location of incident (including street address): 2653 Brookwood Dr ATLANTA, GA 30305

5. Name of your insurance company: ARMSTRONG METROPOLITAN LIFE Policy No. 230 OR 2591

6. State what and how incident occurred: (I WAS NOT PRESENT) I WAS INFORMED BY MY NEIGHBOR THAT IN AN ATTEMPT TO REVERSE INTO AN AREA ACROSS FROM 2653 BROOKWOOD, THE CITY'S VEHICLE STRUCK THE BACK LOWER PANEL (BY THE GAS TANK) AND BUMPER OF MY PARKED VEHICLE.

7. ALL ESTIMATES AND DAMAGES ARE SUBJECT TO INSPECTION. THE MAKING OF FALSE CLAIMS WILL RESULT IN YOUR CLAIM BEING DENIED AND MAY RESULT IN CRIMINAL PROSECUTION!

8. The registered owner must make the claim for vehicle damages, complete the following and attach two (2) estimates of repair and proof of ownership of your vehicle (copy of the current tag receipt or title).

Your vehicle: NISSAN ALTIMA 1999 193-RSS JOSEPH PAUL TOWAISIS
(Make) (Year) (Tag Number) (Driver's Name)

City vehicle: 2001 CLARK CARRER ELIZABETH FORD
(Make) (City Driver's Name) (Department/Bureau)

9. Witness: MICHAEL HOOVER 2653 BROOKWOOD DR. 404/261-9273
(Name) (Address) ATL, GA 30305 (Telephone Number)

10. The acknowledgment of this claim in no way waives the Sovereign immunity of the City of Atlanta, as granted by State law, nor is it an admission of liability on behalf of the City of Atlanta and/or its employee(s).

11. This claim should be mailed immediately to the address shown above.

I HEREBY SWEAR OR AFFIRM THAT THE ABOVE INFORMATION IS TRUE AND CORRECT.

J. Paul Towaisas
Signature of Claimant

PAUL TOWAISIS
(Print Claimant's Name)

2653 Brookwood Dr
(Address)

ATLANTA, GA 30305
(City, State and Zip Code)

770-642-7676 x 21 404-261-9073
(Work Number) (Home Number)

(24) 678-641-8572

GENERAL RELEASE AND INDEMNIFICATION

CLAIM NUMBER 01L0362

\$ 1,665.15

IN CONSIDERATION of the sum of SIXTEEN HUNDRED AND SIXTY-FIVE AND 15/100
 DOLLARS, to be paid to me by the CITY OF ATLANTA, the future receipt of which is hereby
acknowledged, I do hereby, for myself, my heirs, executors, administrators, and assigns, release and forever
discharge said City, its officers and employees, including but not limited to Elizabeth Ford, from any and all
claims, demands, actions, causes of action, suits, damages, loss and expenses, of whatsoever kind or nature for or
on account of anything that has heretofore occurred, and particularly for or on account of a vehicular accident
which occurred on or about the 27th day of April, 2001
at or near 2653 Brookwood Drive

It is further understood and agreed that the payment of the above named sum is not to be considered as an
admission on the part of the City, its officers, agents, servants or employees, of any liability whatsoever and the
undersigned further covenants and agrees to indemnify and hold harmless the City of Atlanta, its officers, agents,
servants and employees, from any and all claims, damages or costs which the said City of Atlanta, its officers,
agents, servants and employees, may be called upon to make as a result of the event hereinbefore referred to.

And I now state that the only consideration for my signing this release and indemnification is the payment
of the sum stated above; that no other promise or agreement of any kind or nature has been made to or with me by
said City or its agents to cause me to sign this release, and that I fully understand the meaning and intent of this
instrument.

WITNESS my hand and seal this 12th day of July, 20 01

Paul Jowaisas (LS)
PAUL JOWAISAS

The above release was read and explained to, and signed by the said PAUL

JOWAISAS

in our presence on the date above written.

Michael D. Jones
Martha Smith

WITNESSES